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Montana, LLC and Meridian Surgical Partners, LLC

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA

IN RE:

JOHN HENRY SCHNEIDER,

Debtor.

Case No. 14-61357-7

**MOTION FOR RULE 2004  
EXAMINATION**

Meridian Surgical Partners, LLC respectfully moves the Court pursuant to Federal Rule of Bankruptcy Procedure 2004 to order an Examination as follows:

1. Witness to be Examined: Trustee Joseph V. Womack.
2. Date: March 21, 2016.
3. Time: 1:30 p.m.
4. Place: Moulton Bellingham PC, 27 N. 27<sup>th</sup> Street, Suite 1900, Billings, Montana, 59101.
5. Scope of Examination: The Examination will encompass:
  - a. The proposed settlements between the Trustee and Debtor John H. Schneider and his related entities and the Trustee's Rule 9019 Motions for approval thereof;

- b. The John H. Schneider Bankruptcy Case, Case No. 14-61357;
- c. The Adversary Case captioned *Womack v. Burrows*, Adversary No. 15-00008;
- d. The Adversary Case captioned *Womack v. Schneider Limited Partnership, et al.*, Adversary No. 15-00015;
- e. The Adversary captioned *Womack v. Schneider*, Adversary No. 15-00020;
- f. The assets and administration of the John H. Schneider Bankruptcy Estate, Case No. 14-61357; and
- g. The Trustees investigation into the affairs and assets of John H. Schneider and his related entities, including but not limited to the Brandon Schneider Benefit Trust; the Shannon Schneider Benefit Trust; the Kaitlin Schneider Benefit Trust; Schneider Management, LLC; Schneider Limited Partnership; MedPort, LLC; BSC, LLC; The John Schneider Revocable Trust; and the Michele Schneider Revocable Trust.

6. Documents to be produced: Please see Exhibit A, which is attached hereto and incorporated herein by reference.

7. Date, time, and place of production (if different from examination): March 18, 2016 at Moulton Bellingham PC, 27 North 27<sup>th</sup> Street, Suite 1900, Billings, Montana, 59101.

8. Movant's calculation of mileage pursuant to F.R.B.P. 2004(e): N/A.

9. The undersigned contacted the Trustee's counsel Trent Gardiner on March 4, 2016. Mr. Gardiner represented that the Trustee does not oppose this Motion.

DATED this 7th day of March, 2016.

MOULTON BELLINGHAM PC

By /s/ Doug James  
DOUG JAMES

Suite 1900, Crowne Plaza  
P. O. Box 2559  
Billings, Montana 59103-2559

Attorneys for Meridian Surgical Partners  
Montana, LLC and Meridian Surgical  
Partners, LLC

**EXHIBIT A**

1. Any document upon which the Trustee relied to establish that John H. Schneider failed to disclose any asset or assets on his Bankruptcy Schedules and/or Amended Bankruptcy Schedules;
2. Any document upon which the Trustee relied to establish that John H. Schneider transferred assets after he filed his Bankruptcy Petition.
3. Any document upon which the Trustee relied to establish that John H. Schneider's discharge should be denied.

## NOTICE OF OPPORTUNITY TO RESPOND AND REQUEST A HEARING

If you object to the application, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the notice. The responding party shall schedule the hearing on the application at least 21 days after the date of the response and request for hearing and shall include in the caption of the responsive pleading, the date, time and location of the hearing by inserting in the caption the following:

### NOTICE OF HEARING

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Location: \_\_\_\_\_

This contested matter shall be scheduled for hearing for the next hearing date scheduled in the division within which the case is filed. The date, time and location of the hearing can be obtained from the Clerk of Court or from the Court's website at [www.mtb.uscourts.gov](http://www.mtb.uscourts.gov). In the event such scheduled hearing date is thirty (30) days beyond the filing date of the motion for relief, then a preliminary hearing within such thirty (30) day period shall be scheduled by the responding party after such party contacts the Clerk of Court to confirm the preliminary telephone hearing date and time, which shall be set forth in the response.

If you fail to file a written response to the above Motion to Modify Stay within the particularity required by Mont. LBR 4001-1(c), and request a hearing, within fourteen (14) days of the date of this Notice, with service on the undersigned and all parties entitled to service under all applicable rules, then your failure to respond or to request a hearing will be deemed an admission that the motion for relief should be granted without further notice or hearing.

Dated this 7th day of March, 2016.

MOULTON BELLINGHAM, PC

By: /s/ Doug James

DOUG JAMES

Attorneys for American Airlines  
Federal Credit Union

### **CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify under penalty of perjury that on the 7th day of March, 2016, a copy of the foregoing was served by (1) electronic means pursuant to LBR 9013-1(c) on the parties noted in the Court's ECF transmission facilities and to the following via U.S. mail, postage prepaid from Billings, Montana:

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